

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO
RICO

As representative of
THE COMMONWEALTH OF PUERTO
RICO

Debtor.

PROMESA
Title III

Case No. 17 BK-03283 LTS

(Jointly Administered)

JOINT MOTION CONCERNING PARTIAL TRANSFER OF CLAIM #91,823

TO THE HONORABLE COURT:

COMES NOW creditor Bard Shannon Limited ("Bard"), through its undersigned counsel, and creditor Carlos A. Rodríguez Herrera ("Mr. Rodríguez"), pro se, and respectfully allege and pray as follows:

1. On June 29, 2018, Bard filed Claim No. 91,823 (the "Claim") against the Commonwealth of Puerto Rico resulting from unused R&D Tax Credits in the total amount of \$500,169 (the "Tax Credits"). See Proof of Claim No. 91,823.

2. On August 30, 2018, Bard transferred Tax Credits to Mr. Rodriguez, pursuant to a *Transfer of Research and Development Investment Tax Credit Agreement*, which was a partial transfer of claim in the amount of \$200,000.00. See Dkt. No. 4216 at p. 3, ¶ 3, and p. 5 at ¶ 1(a).

3. On November 7, 2018 Mr. Rodriguez filed a "Transfer of Claim Other Than for Security" [Dkt #4193]. On November 13, 2018 Mr. Rodríguez filed a Motion to Inform Transfer of Claim [Dkt #4216],

subsequently refiled on December 4th, 2018, to correct an error in filing [Dkt #4402].

4. Consistent with the foregoing, the parties respectfully inform the Honorable Court that Bard continues to have a claim against the Commonwealth of Puerto Rico for Tax Credits in the amount of \$300,169.

WHEREFORE the parties respectfully requests that the Court take notice of the foregoing clarification and, as a result thereof, find that the transfer of Bard's Claim No. 91823 to Mr. Rodriguez was a partial transfer of claim in the amount of \$200,000.

NOTICE OF RESPONSE TIME: Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bankr. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, must serve and file an objection or other appropriate response to this paper with the Clerk's Office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed, unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the court, the interest of justice otherwise requires.

RESPECTFULLY SUBMITTED this 22 day of January, 2019.



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I HEREBY CERTIFY that on this date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the parties appearing in said system, including the U.S. Trustee, Debtor, the Debtors' counsel and all parties in interest.

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